

Exhibit 5

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
3 CHARLESTON DIVISION
4

5 -----)
6 IN RE: COLOPLAST CORP.) Master File No.:
7 PELVIC SUPPORT SYSTEMS) 2:12-MD-02387
8 PRODUCTS LIABILITY LITIGATION)
9 -----) MDL No. 2387

10 THIS DOCUMENT RELATES TO:)
11)
12 ALL COLOPLAST WAVE 5, 6 AND 7)
13 CASES)
14 -----)

15
16 The deposition of BRUCE ROSENZWEIG, M.D.,
17 called for examination, taken pursuant to the Federal
18 Rules of Civil Procedure of the United States District
19 Courts pertaining to the taking of depositions, taken
20 before JULIANA F. ZAJICEK, a Registered Professional
21 Reporter and a Certified Shorthand Reporter, at Suite
22 1650, 444 West Lake Street, Chicago, Illinois, on
23 May 2, 2019, at 8:00 a.m.
24

1 PRESENT:

2 ON BEHALF OF THE PLAINTIFFS:

3 WAGSTAFF & CARTMELL, LLP

4 4740 Grand Avenue

5 Kansas City, Missouri 64112

6 816-701-1100

7 BY: THOMAS P. CARTMELL, ESQ.

8 tcartmell@wcllp.com;

9 NATE JONES, ESQ.

10 njones@wcllp.com

11

12 ON BEHALF OF THE DEFENDANT COLOPLAST CORP.:

13 KING & SPALDING LLP

14 500 West 2nd Street, Suite 1800

15 Austin, Texas 78701

16 512-457-2060

17 BY: LANA K. VARNEY, ESQ.

18 lvarney@kslaw.com;

19 ASHLEY M. CROOKS, ESQ.

20 acrooks@kslaw.com

21

22

23

24 REPORTED BY: JULIANA F. ZAJICEK, C.S.R. NO. 84-2604.

1 that the Plaintiffs provided to you?

2 A. I have -- there is no document from me
3 that was in the custodial file, correct.

4 Q. Right.

5 You've never received any of those
6 documents that you've reviewed that you believe came
7 from Coloplast's, as you call it, custodial file,
8 correct?

9 A. I had never -- excuse me?

10 Q. You had never received any of the internal
11 documents that were produced in this litigation by
12 Coloplast other than from the Plaintiffs' counsel,
13 correct?

14 A. Correct.

15 Q. Now, you've never talked to anybody who
16 wrote those documents that you read, correct?

17 A. Not that I specifically recall.

18 Q. And you have no personal knowledge as to
19 why -- why they wrote those documents, correct?

20 A. I have knowledge of what the document
21 states and --

22 Q. And that's not why it was written, was it?

23 My question was: You have no personal
24 knowledge as to why any Coloplast employee wrote the

1 documents that you have read?

2 A. Besides what's in the document.

3 Q. Right. You've just read the document,
4 right?

5 A. Correct.

6 Q. Yeah.

7 The jury, men and women of the jury can
8 read the document, correct?

9 A. Correct.

10 Q. And the jury -- I mean a judge could read
11 the document as you have done, correct?

12 A. Correct.

13 Q. Now, you do use Coloplast's catheters in
14 your regular practice, medical practice?

15 A. We used to. We are using more -- mostly
16 Bard catheters now.

17 Q. Do you use Coloplast's ostomy bags?

18 A. I do not think so. We might have at one
19 point.

20 Q. Do you use Coloplast's penile implants?

21 A. No. I am not a urologist.

22 Q. Do you use any of Coloplast's wound care
23 products?

24 A. We might have in the past. I do not think